

Serial No. **53403**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office **JUN 22 1989**

Returned to applicant for correction

Corrected application filed **JUN 22 1989** Map filed

The applicant **Barrick Goldstrike Mines Inc.**

P. O. Box 29

of **Elko**

Street and No. or P.O. Box No.

City or Town

Nevada 89801

State and Zip Code No.

hereby make **S** application for permission to change the

Point of Diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Application 52061**

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.)

1. The source of water is **Underground**
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **3.0 cfs**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for **Mining, Milling and Dewatering**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **Mining, Milling and Dewatering**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point **NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, T 36 N, R 50 E, MDB & M., at a point from which the SE corner of said Section 19 bears S 69° 08' 26" E, 4608.84 feet.**
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, T 36 N, R 50 E, MDB & M., at a point from which the SW corner of said Section 19 bears S 22° 31' 00" W, 1589.36 feet.**
If point of diversion is not changed, do not answer.
7. Proposed place of use **SE $\frac{1}{4}$ Section 13; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 23; All of Section 24; E $\frac{1}{2}$ Section 25; All of Section 26; E $\frac{1}{2}$ E $\frac{1}{2}$ Section 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34; N $\frac{1}{2}$ N $\frac{1}{2}$ Section 35, T 36 N, R 49 E, MDB & M., All of Sections 18, 19, 20; S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 28; W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ Section 29; All of Section 30, T 36 N, R 50 E, MDB & M.**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use **Same as Above**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from **January 1** to **December 31** of each year.
Month and Day Month and Day
10. Use was permitted from **January 1** to **December 31** of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **Well, Pipelines and Storage Ponds.**
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works **\$20,000**
13. Estimated time required to construct works **3 years**

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The consumptive use shall remain the same use as applicable to application
52061 and related applications.

BOYACK SURVEYING, AGENT

By s/ Robert E. Morley

Robert E. Morley

515 South Fifth Street

Elko, Nevada 89801

Compared pm/se bp/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 52061 is issued subject to the terms and conditions imposed in said Permit 52061 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit (CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed 707.72 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before August 4, 1991

Proof of completion of work shall be filed before September 4, 1991

Application of water to beneficial use shall be made on or before August 4, 1994

Proof of the application of water to beneficial use shall be filed on or before September 4, 1994

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed IN TESTIMONY WHEREOF, I, PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed my office, this 29th day of November

Cultural map filed

Certificate No. Issued

A.D. 19 89

Peter G. Morros
State Engineer

2407 (Rev. 6-81)

Abrogated By 54917-T 2.0 cfs
54921-T 0.9 cfs
Temp

Abrogated By 57050-T 3.0 cfs 6-93

Abrogated By 57230 Oct 27-98

(PERMIT TERMS CONTINUED)

holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the water management plan and water management plan addendum among Barrick Goldstrike Mines, Inc.; Newmont Gold Company; and T S Ranch Joint Venture dated May 1, 1989.

This permit will allow for the dewatering of the pit area. Any water obtained as a result of this dewatering operation shall be used first by the permittee for mining, milling, heap leaching, drilling, road watering and other related mining and milling uses herein after referred to as mining and milling uses within the described place of use on this permit and by Newmont Gold Company for the same purposes stated above at what is known as the No. 4 Mill.

Any water not used for mining and milling purposes shall be utilized by the T S Ranch on land for irrigation use presently described under the place of use under Permits 16951, Certificate 5605; 16952, Certificate 5606; 28966, Certificate 10226; 28967, Certificate 10227; 29952, Certificate 10043; 29953, Certificate 10044; 30240, Certificate 10046; 30241, Certificate 10047; 30242, Certificate 10048; 30253, Certificate 10229; 30849, Certificate 10057; 31288, 31289, 34766, 34767, 34768, 34769, 34770, 34771, 34772, 34773, 36020, 36021, 36022, 36023, 36024, 52941, 52942, 52943, 52944, 52945, 52946, 52947, 52948, 52949 and 52950 or any subsequent changes of the place of use of these rights. The intent in the interests of the best and most efficient management of the resource is to substitute water from dewatering of the pit area for water presently authorized to be withdrawn from the Boulder Flat Groundwater Basin under the above described permits.

This water will be stored in a storage reservoir for use on the lands of the T S Ranch. The construction of this storage reservoir will require that the parties of the plan obtain all of the necessary permits for such construction. This storage reservoir shall be constructed prior to the time that the volume of water from the dewatering project exceeds the volume of water required for mining and milling purposes for both the permittee and Newmont's No. 4 Mill.

Any water from this dewatering operation shall not be discharged to any natural drainages or man-made drainages.

The parties to the water management plan mentioned above shall submit a monitoring plan to the State Engineer within three months after the issuance of this permit. This plan must address all aspects of potential impacts resulting from the dewatering of the pit area. The State Engineer retains the right to require the parties of the plan to cooperate in the funding of a hydrology study to be conducted by an independent third party.

The State Engineer retains the right to regulate the pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

A monthly report shall be submitted to the State Engineer within 10 days from the end of the month which shall include the amount pumped from each well and the amount used for each mining and milling purpose.

The total combined duty of water under Permits 37985, Certificate 10592; 45951; 50304; 50305; 50306; 50307; 50834; 51071; 51531; 51740; 51741; 51742; 51743; 51744; 52032; 52033; 53401; and 53403 shall not exceed 2238 million gallons annually for mining and milling purposes.

